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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,300	01/22/2002	Srinivas Mandyam	2102299-991130	2017
29906	7590	10/21/2005	EXAMINER	
INGRASSIA FISHER & LORENZ, P.C. 7150 E. CAMELBACK, STE. 325 SCOTTSDALE, AZ 85251			NGUYEN, MAIKHANH	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>SUPPLEMENTAL</b> <b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/056,300	MANDYAM ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Maikhanh Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 23 May 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-18 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_ .      5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_ .

***DETAILED ACTION***

1. This is a supplemental of the previous Office Action mailed 08/09/2005. In this Office Action, the US 2002/0123993 reference (mistakenly cited by the Examiner in the Office Action) is replaced by the US 6,721,727 reference.
2. This action is responsive to communications: Amendment filed 05/23/2005 to the original application filed 01/22/2002.
3. Claims 1-18 are currently pending in this application. Claims 1 and 10 are independent claims.
4. The rejection of claims 1-18 under 35 U.S.C. 101 has been withdrawn as necessitated by amendment.

***Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or" (Emphasis added.)

Claims 1-4 and 6-18 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chau et al.** (US 6,721,727, filed 11/2000).

**As to independent claim 1:**

Chau teaches (*see the Abstract*) a computer-based (*a computer*) method for extracting content from a document (*XML documents*), comprising the step of:

- (a) creating at least one selection envelope (*col.26, lines 5-9*) based upon a plurality of selection commands (*SELECT, WHERE, SELECT DISTINCT*; *col.26, lines 5-9*) for locating (*SELECT...from; col.26, lines 5-9*) the specific content (*WHERE price > 2500.00*); and
- (b) selecting the specific content from said document based upon said at least one selection envelope (*SELECT sales person from sales\_tab; col.26, lines 5-9*).

**As to dependent claim 2:**

Chau teaches (*col.26, lines 5-9*) begin marker (*sales-tab*) and an end marker (*>2500.00*), which respectively define the beginning and end of the selection envelope.

**As to dependent claim 3:**

Chau teaches (*col.43, lines 42-45*) a parent envelope (*SELECT clause*) and a child envelope (*WHERE clause*).

**As to dependent claim 4:**

Chau teaches the child envelope is nested within the parent envelope (*SELECT ... SELECTING DISTINCT; col.26, lines 51-54*).

**As to dependent claim 6:**

Chau teaches the child envelope is completely outside of the parent envelope (*col.38, lines 15-40*).

**As to dependent claim 7:**

Chau teaches a command based on the document structure (*XML query parameter; col. 40, lines 48-65*).

**As to dependent claim 8:**

Chau teaches a command based on a character pattern (*SQL query; col.38, lines 50-67*).

**As to dependent claim 9:**

Chau teaches (*col.38, lines 40-47*) a combined command (*define mapping ... XML document using SQL mapping*) based on both document structure (*XML*) and a character pattern (*SQL*).

**As to independent claim 10:**

The rejection of independent claim 1 above is incorporated herein in full. Additionally,

Chau further teaches:

- (a) parameterizing at least one selection command to operate on the resource (*SELECT sales\_person from sales\_tab; col.26, line 1*);
- (b) determining whether the desired content has been selected; and extracting the selected content if the desired content has been selected (*It is possible to have multiple rows ... containing the same ... a user should only select the distinct values ... SELECT DISTINCT; col.25, line 66-col.26, line 8*).

**As to dependent claim 11:**

Chau teaches defining a second selection envelope by use of at least one second selection command if the desired content has not been selected (*col.26, lines 14-18*); selecting content from the source by use of the second selection envelope (*SELECT price; col.26, lines 14-15*); determining whether the desired content has been selected; and extracting

the selected content if the desired content has been selected (*WHERE price; col.26, lines 16-18*).

**As to dependent claim 12:**

Chau teaches the first selection envelope comprises a parent envelope (*SELECT clause; col.26, line 5*) and the second selection envelope comprises a child envelope (*WHERE clause; col.26, line 6*).

**As to dependent claim 13:**

Chau teaches a document (*XML document; col.6, line 10*).

**As to dependent claim 14:**

Chau teaches a section of a document (*the XML documents... multiple pieces; col.7, lines 5-7*).

**As to dependent claim 15:**

Chau teaches determining whether the source is structure (*XML document ... a tree structure; col.44, lines 20-21*) or unstructured, and selecting the at least one selection command is based upon this determination (*SQL query; col.44, lines 37-38*).

**As to dependent claim 16:**

Chau teaches structure based command selected from, among other things, select by attribute commands (*SQL query and maps the data obtained from the SQL query into elements and attributes; col.35, lines 51-53*).

**As to dependent claim 17:**

Chau teaches a character based command selected from, among other things, select text matching pattern commands (*col.38, line 40-col.39, line 45*).

**As to dependent claim 18:**

It includes the same limitations as in claim 9, and is similarly rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Chau et al.** in view of **Copperman et al.** (U.S. 6,711,585 – filed 06/2000).

**As to dependent claim 5:**

- a. Chau does not explicitly teach “*the child envelope partially overlaps the parent envelope.*”
- b. Copperman teaches the child envelope partially overlaps the parent envelope (*col.23, lines 54-67*).

c. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the feature from Copperman in the system of Chau because it would have provided the capability for eliminating the concept-node from the input set and to re-initiate the knowledge map generation mechanism.

***Response to Arguments***

7. Applicants' arguments filed 05/23/2005 have been considered but are moot in view of the new ground(s) rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burkett et al. U.S. Patent No. 6,635,089 Issued: Oct. 21, 2003

Chau et al U.S. Publication 2002/0123993 A1 Pub. Date: Sep. 5, 2002

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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